

ORIGINAL

FILED

08 MAR 19 PH 2:26

MICHAEL W. WIERING  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 Donald Douglas Bone

11 Plaintiff,

12 vs. Director, James Tilton  
California Department of Corrections  
& Rehabilitation.13 Warden, John Marshal  
California Mens Colony, et al.

EV 08

CASE NO.

1156

PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

16 I, Donald Douglas Bone, declare, under penalty of perjury that I am the  
17 plaintiff in the above entitled case and that the information I offer throughout this application  
18 is true and correct. I offer this application in support of my request to proceed without being  
19 required to prepay the full amount of fees, costs or give security. I state that because of my  
20 poverty I am unable to pay the costs of this action or give security, and that I believe that I am  
21 entitled to relief.

22 In support of this application, I provide the following information:

23 1. Are you presently employed? Yes        No X A1A Unassigned Status

24 If your answer is "yes," state both your gross and net salary or wages per month, and give the  
25 name and address of your employer: Previously: Prison Industry Authority  
while at C.T.F. Soledad

26 Gross: \_\_\_\_\_ Net: \_\_\_\_\_

27 Employer: \_\_\_\_\_

28 \_\_\_\_\_

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 Prison Industry Authority - Wood Products Division

5 @ .35¢/Hr + \$30.00/Month Gross Salary

6  
 7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

9 a. Business, Profession or Yes        No X  
 10 self employment

11 b. Income from stocks, bonds, Yes        No X  
 12 or royalties?

13 c. Rent payments? Yes        No X

14 d. Pensions, annuities, or Yes        No X  
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes        No X  
 17 Social Security or other govern-  
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 \_\_\_\_\_

22 \_\_\_\_\_

23 3. Are you married? Yes        No X

24 Spouse's Full Name: \_\_\_\_\_

25 Spouse's Place of Employment: \_\_\_\_\_

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ \_\_\_\_\_ Net \$ \_\_\_\_\_

28 4. a. List amount you contribute to your spouse's support: \$ \_\_\_\_\_

5 \_\_\_\_\_  
6 \_\_\_\_\_

7 5. Do you own or are you buying a home? Yes  No

9 6 Do you own an automobile? Yes No  x

10 Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

11 Is it financed? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, total due: \$ \_\_\_\_\_ N/A \_\_\_\_\_

13 7. Do you have a bank account? Yes    No    (Do not include account numbers.)

14 Name(s) and address(es) of bank: C.D.C. TRUST ACCOUNT COPIES ATTACHED

15  
16 Present balance(s): \$ +  
- \$250.00

17 Do you own any cash? Yes    No   X   Amount: \$ \_\_\_\_\_

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
19 market value.) Yes        No X

21 | 8. What are your monthly expenses?

Copy charges & Legal Postage

## 24 Charge Accounts:

25 Name of Account Monthly Payment Total Owed on This Acct.

26 \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

27 \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

1      9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)

3	Court Ordered Restitution	Total	\$10,000
	Superior Court of California		
4	County of Santa Clara	outstanding	\$ 9,036.04

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes X No \_\_\_\_\_

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed. See: **MEMORANDUM OF POINTS AND AUTHORITIES**  
9 Table of Authorities: CASES / LAW

10 | Page

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

16 | February 21, 2008

DATE

**SIGNATURE OF APPLICANT**

Donald Douglas Bone

COPY

1 NOTE TO COURT: - ORIGINAL COPY SENT TO CALIFORNIA MENS COLONY  
2 TRUST ACCOUNTING OFFICE FOR PROCESSING, MAR 14 2008  
3 - 1ST COPY SENT TO INMATE COUNSELOR KEL CCI  
4 Case Number: CV 08-1156 MMC (PR)  
5  
6  
7  
8

**CERTIFICATE OF FUNDS**

**IN**

**PRISONER'S ACCOUNT**

12 I certify that attached hereto is a true and correct copy of the prisoner's trust account  
13 statement showing transactions of Donald D Bone P-30877 for the last six months  
14 California Mens Colony [prisoner name] where (s)he is confined.  
15 [name of institution]

16 I further certify that the average deposits each month to this prisoner's account for the  
17 most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's  
18 account each month for the most recent 6-month period was \$ \_\_\_\_\_.

19 Dated: \_\_\_\_\_

20 [Authorized officer of the institution]

21  
22  
23  
24  
25  
26  
27  
28

CALIFORNIA DEPARTMENT OF TRANSPORTATION

## CALIFORNIA MEANS GOLDEN

## INMATE TRUST ACCOUNTING SYSTEM

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 10, 2008 THRU FEB. 04, 2008

ACCOUNT NUMBER : P30877

ACCOUNT NAME : BONE, DONALD DOUGLAS

### ACCOUNT TIME.

PRIVILEGE GROUP: A

#### TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

CURRENT HOLDS IN EFFECT				
DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
01/25/2008	H106	UNITED PARCEL SERVICE HOLD	3892	4.66
01/25/2008	H106	UNITED PARCEL SERVICE HOLD	3892	6.35
02/04/2008	H104	DAMAGES HOLD	34C6 / W1503	10.00

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HALDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	21,01	0.00

CHICAGO  
ART INSTITUTE  
EXHIBITION

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CTF SOLEDAD/TRUST ACCOUNTING  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT 01, 2007 THRU JAN 08, 2008

ACCOUNT NUMBER : P30877  
ACCOUNT NAME : BONE, DONALD DOUGLAS  
RIVILEGE GROUP: A

BED/CELL NUMBER: CFFNT1000000116U  
ACCOUNT TYPE: I

### TRUST ACCOUNT ACTIVITY

TRAN DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
0/01/2007		BEGINNING BALANCE					312.91
0/06	D550	INMATE PAYROL	1107 PIA1		36.20		349.11
0/23	FC05	DRAW-FAC 5	1315 EDORM			22.20	326.91
0/27	W476	DONATION-PROT	1376 TITHE			5.00	321.91
1/06	D550	INMATE PAYROL	1428 PIA 1		30.05		351.96
1/09	W516	LEGAL COPY CH	1512 LCOPY			4.10	347.86
1/10	W516	LEGAL COPY CH	1526 LCOPY			0.30	347.56
2/06	D550	INMATE PAYROL	1746 PIA2		7.04		354.60
2/26	FC01	DRAW-FAC 1	1968 ML			30.00	324.60

### TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
312.91	73.29	61.60	324.60	0.00	66.90

CURRENT  
AVAILABLE  
BALANCE

257.70

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CTF SOLEDAD/TRUST ACCOUNTING  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUL 01, 2007 THRU OCT 11, 2007

COUNT NUMBER : P30877

BED/CELL NUMBER: CFED00000000106U

COUNT NAME : BONE, DONALD DOUGLAS

ACCOUNT TYPE: I

IVILEGE GROUP: A

## TRUST ACCOUNT ACTIVITY

TRAN	TE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
/01/2007			BEGINNING BALANCE					292.98
/05*D550			INMATE PAYROL 0023 PIA2	TERMINATED	27.16			320.14
/17 W516			LEGAL COPY CH 0215	LCOPY		1.20		318.94
/20 W516			LEGAL COPY CH 0249	LCOPY		0.10		318.84
/20 W516			LEGAL COPY CH 0249	LCOPY		3.60		315.24
/23 FC05			DRAW-FAC 5 0287	ED		21.90		293.34
/06 D550			INMATE PAYROL 0401 PIA1	TERMINATED	70.03			363.37
/21 FC05			DRAW-FAC 5 0611	ED		20.60		342.77
/25 W476			DONATION-PROT 0665	TITHES		10.00		332.77
/25 W516			LEGAL COPY CH 0673	LCOPY		36.26		296.51
/25 W516			LEGAL COPY CH 0677	LCOPY		0.40		296.11
/25 W502			POSTAGE CHARG 0678	POST		2.33		293.78
/28 W516			LEGAL COPY CH 0712	LCOPY		3.50		290.28
/04 W512			LEGAL POSTAGE 0758	LPOS1		5.05		285.23
/07 D550			INMATE PAYROL 0781 PIA2	TERMINATED	35.48			320.71
/18 W516			LEGAL COPY CH 0928	LCOPY		2.10		318.61
/18 W476			DONATION-PROT 0934	TITHES		5.00		313.61
/21 W516			LEGAL COPY CH 0982	LCOPY		0.70		312.91
/06 D550			INMATE PAYROL 1107 PIA1	TERMINATED	36.20			349.11

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
292.98	168.87	112.74	349.11	0.00	0.00

CURRENT  
AVAILABLE  
BALANCE

349.11

ORIGINAL  
FILEDUNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FEB 27 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir or Madam:

Your complaint has been filed as civil case number

CV 08

1156

A filing fee of \$350.00 is now due. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety. If the application is granted, you will not have to prepay the fee, but it will be taken out of income to your prisoner account in installments.

Your complaint is deficient because you did not pay the filing fee and:

1.  you did not file an In Forma Pauperis Application.
2.  the In Forma Pauperis Application you submitted is insufficient because:

You did not use the correct form. You must submit this court's current Prisoner's In Forma Pauperis Application.

Your In Forma Pauperis Application was not completed in its entirety.

You did not sign your In Forma Pauperis Application.

You did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison. - SENT TO TRUST ACCOUNT OFFICE

You did not attach a copy of your prisoner trust account statement showing transactions for the last six months. ATTACHED

Other \_\_\_\_\_

Enclosed you will find this court's current Prisoner's In Forma Pauperis Application, which includes a Certificate of Funds in Prisoner's Account form, and a return envelope for your convenience.

**Warning: YOU MUST RESPOND TO THIS NOTICE. If you do not respond within THIRTY DAYS from the filing date stamped above, your action will be DISMISSED, the file closed and the entire filing fee will become due immediately. Filing a Prisoner's In Forma Pauperis Application will allow the court to determine whether installment payment of the filing fee should be allowed.**

Sincerely,  
RICHARD W. WIEKING, Clerk,

By \_\_\_\_\_

Deputy Clerk